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APPLICATION N	Ю.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/696,126		10/29/2003 -	David L. Sherman	15826-189001/II-03-06	7246	
26231	7590	03/24/2005		EXAMINER		
		ARDSON P.C.	JENKINS, JERMAINE L			
5000 BANK ONE CENTER 1717 MAIN STREET				ART UNIT PAPER NUMBER		
DALLAS	, TX	75201	2855			
				DATE MAILED: 03/24/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Demaine D		Application No.	Applicant(s)					
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Elamations of the may be a variable under the provisions of 37 CPR 1.13(6). In no event, however, may a raphy be timely filled the period for reply specified above is less than thiny (30) days, an pay within the statutory minimum of thiny (30) days will be candidated films). If the period for reply specified above is less than thiny (30) days, an pay vittin the statutory minimum of thiny (30) days will be candidated films). If the period for reply specified above is less than thiny (30) days, an pay vittin the statutory minimum of thiny (30) days will be candidated films). If the period for reply specified above is less than thiny (30) days, an pay vittin the statutory minimum of thiny (30) days will be candidated films). If the period for reply specified above is less than thiny (30) days, and pay day of the period of the communication of the period of the statutory days and the specified of the scenario of the period of the scenario of the period of the scenario of the scena	Office Action Summary	Examiner	Art Unit	-				
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provided and after 2X (6) MONTHS from the mailing date of this communication. Extensions of time may be available under the provided of 150 pc. 115(6). In no event, however, may a reply be timely filed after 2X (6) MONTHS from the mailing date of this communication. It NO period for reply is specified above, the maintens was taken prior for all pays and wit leaple 5X (6) MONTHS from the mailing date of this communication of the reply study to the time altering before the pays and wite leaple 5X (6) MONTHS from the mailing date of this communication, even if timely filed, may reduce any owner patient term selections in the formal and the framework of the communication, even if timely filed, may reduce any owner patient term selections in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-53 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are subjected to. Claim(s) is/are subjected to. Claim(s) is/are subjected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). The dark or devaluable of the priority documents have been received in Application No		pears on the cover sheet with the	correspondence address	S				
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut - Any reply received by the Office later than three months after the mailing	136(a). In no event, however, may a reply be ti sly within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONI	imely filed ys will be considered timely. n the mailing date of this commun ED (35 U.S.C. § 133).	nication.				
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	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal						

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-39, drawn to pressure measuring instrument having a seal connection, classified in class 73, subclass 715.
- II. Claims 40-53, drawn to a pressure measuring instrument having a stem, classified in class 73, subclass 715.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the process instrument comprising a seal connection having a base sealed to the process is not warranted for a pressure gauge stem to perform within its capabilities. The subcombination has separate utility such as a pressure gauge stem comprising a proximal end for connecting to a process and a body extending from the proximal end to a distal end.
- 3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Atty. Russell Rippamonti on 3/18/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 571-272-2179. The examiner can normally be reached on Monday-Friday 8am-430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jermaine Jenkins A.U. 2855

MAX NOORI PRIMARY EXAMINER